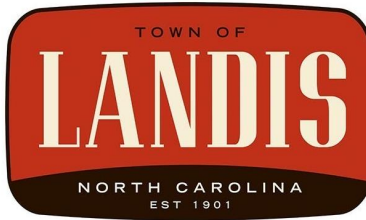


Landis Ordinances with Criminal Enforcement

Prepared: October 2019



Landis Ordinances with Criminal Enforcement

Pursuant to S.L. 2019-198 this document compiles a listing of Ordinances within the Town of Landis, North Carolina Code of Ordinances that are enforceable by criminal penalties. Some of the ordinances listed here are also enforceable by civil penalties. A full listing of all of these ordinances can be found from American Legal Publishing at https://www.amlegal.com/codes/client/landis_nc/

The format for the ordinances below is as follows:

- **CHAPTER/SECTION NUMBER & NAME**

A sufficient sample of the ordinance or a short description to explain the ordinances content.

This list was compiled by Shane Safrit with the Landis Police Department. For any questions or concerns please e-mail ssafrit@landispolice.com

- **CHARTER SEC. 11.2. DISCHARGE OF FIREARMS AND EXPLOSIVES.**

Constitutes a misdemeanor for any person to fire a gun, pistol, firecracker, Roman candle or any explosive within the corporate limits of Landis unless by permission from the board of alderpersons.

- **§ 32.01 ROWAN EMERGENCY MANAGEMENT AGENCY.**

It is the intent and purpose of this section to establish an office that will ensure the complete and efficient utilization of all of the county's resources to combat disaster resulting from enemy actions or other disasters, as defined herein. Constitutes a misdemeanor for any person to violate any of the provisions of this section or plans issued pursuant to the authority contained therein, or to willfully obstruct, hinder or delay any member of the emergency management organization.

- **§ 50.03 PROHIBITED ACTS.**

Constitutes a misdemeanor for any person to throw or sweep into any street or public place of the town any garbage or refuse or to scatter any matter on any premises or vacant lot of his or her own or that of another, other than as set forth in this chapter. Constitutes a misdemeanor for garbage that has become decayed or that shall otherwise be a menace to health or cleanliness to be allowed to remain in any residence, business or industry or on any premises for a longer time than shall be reasonably necessary to remove or deposit it in a proper receptacle.

- **§ 50.15 PERMISSIBLE CONTENT.**

Constitutes a misdemeanor for garbage or material of an offensive or unsightly nature to be used for landfills.

- **§ 50.45 LITTER; SECURED LOADS.**

Constitutes a misdemeanor for any person, while a driver or passenger in a vehicle, to throw or deposit litter upon any private property or upon any street or other public place within the town or move any truck or other vehicle within the town unless the vehicle is so constructed or loaded as to prevent any load of dirt, litter or other matter being spilled therefrom or deposited upon any street or other public or private place.

- **§ 51.002 INTERFERENCE WITH WATER, SEWER SYSTEM PROHIBITED.**

Constitutes a misdemeanor for any person, without having proper authority, to touch, tamper or in any manner, manipulate or turn the cut-offs on the water mains, water meters or fire hydrants forming a part of the water system of the town, nor shall any person without having proper authority tamper with or harm in any manner whatsoever any water or sewer line, water meter, sewer manhole, fire hydrant or any apparatus thereto. Constitutes a misdemeanor for any person to throw or deposit any material or substance in any water or sewer line that will, in any manner, obstruct the line.

- **§ 51.004 PROHIBITION AGAINST TRESPASS ON, INTERFERENCE WITH WASTE OR WATER TREATMENT PLANTS.**

Constitutes a misdemeanor for any person, without having proper authority, to trespass or, in any manner, interfere with any waste treatment plant, water treatment plant, raw water storage lakes or resources, stand pipes, elevated tanks or sewer lift stations.

- **§ 51.005 OBSTRUCTION OF WATER METER, FIRE HYDRANT PROHIBITED.**

Constitutes a misdemeanor for any person to plant or construct anything within ten feet of a water meter or fire hydrant that will, in any way, prevent the proper maintenance or accessibility of same.

- **§ 51.006 CERTAIN DISCHARGES PROHIBITED.**

Constitutes a misdemeanor to discharge or cause to be discharged certain prohibited substances in any sanitary sewer in the town.

- **§ 51.020 POTABLE WATER SUPPLY.**

Constitutes a misdemeanor for any person to occupy or to rent to or permit another person to occupy, for more than 24 hours, any building or other structure intended or designed for human habitation, occupancy or use, without first connecting the building or structure to the city water system or without providing potable water from some other source known to be pure and which meets the approval of the county health authorities.

- **§ 51.024 AUTHORIZED PERSONS.**

Constitutes a misdemeanor for connections with the water or sewer system of the town to be made by any other person than one specifically employed or designated by the town for that work.

- **§ 51.093 PUBLIC SEWER USAGE REQUIRED.**

Constitutes a misdemeanor for any person not connect to public sewer within 180 days after notice or to keep any privies, cesspools and, septic tanks within the town limits. Exceptions apply.

- **§ 51.094 UNAUTHORIZED CONNECTION PROHIBITED.**

Constitutes a misdemeanor for any unauthorized person to uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining written approval from the Director. All costs and expenses incidental to the installation and connection to a sewer main shall be borne by the owner. All sewer connections must comply with the State Building Code, Volume II, Plumbing. Plumbing shall be done by a licensed plumber. Any violation of any provision of this section shall constitute a misdemeanor.

- **§ 51.999 PENALTY.**

Constitutes a misdemeanor for any person to use or to permit the use of town water in violation of any mandatory restriction. Constitutes a misdemeanor for any person to maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Persons committing the acts shall be guilty of a misdemeanor. Any discharge into the water in violation of the substantive provisions of or an order of the hearing authority shall be considered a misdemeanor. Constitutes a misdemeanor for any person who is found to have violated an order of the Director or who willfully or negligently fails to comply with any provision of the water and sewer section.

- **§ 70.02 FAILURE TO OBEY LAWFUL TRAFFIC CONTROLS.**

Constitutes a misdemeanor for any person to drive, operate or use a vehicle upon the streets of the town contrary to any signs, signals or other traffic control devices that are placed upon the streets for the purposes of directing traffic, except upon direction of a police officer and except as otherwise provided in this chapter. Constitutes a misdemeanor for any person to fail to stop for stop signs, red lights or red blinking lights in town.

- **§ 70.26 ESTABLISHED RIDING AREA.**

Prevents the use of a motorized dirt bike and/or an ATV on lots of less than two acres in size within the Town of Landis and sets restrictions and certain time frames on when a motorized dirt bike and/or an ATV is used on lots greater than two acres. Prevents use of a motorized dirt bike and/or an ATV on town owned property. Exceptions apply. Any violation of any provision of this section shall constitute a misdemeanor.

- **CHAPTER 71: TRAFFIC SCHEDULES**

It is the purpose of this chapter to set forth the speed limits and set forth stop signs on several streets and intersections in the town that are maintained by the town. Any violation of any provision of this chapter shall constitute a misdemeanor.

- **§ 90.004 HOGS PROHIBITED.**

Constitutes a misdemeanor to keep a hog inside of the town.

- **§ 90.015 RABIES VACCINATION; TAGS.**

Constitutes a misdemeanor to keep a dog or cat that has not been vaccinated against rabies.

- **§ 90.053 DOGS AND CATS RUNNING AT LARGE.**

Constitutes a misdemeanor to allow any dog or cat owned or harbored by an owner to run at large within the town. Constitutes a misdemeanor to allow a vicious or dog or cat to run at large.

- **§ 90.065 DETERMINATION OF VICIOUS ANIMAL.**

Constitutes a misdemeanor for any owner or keeper to permit his or her animal to run at large after the animal has been declared vicious and the owner or keeper has been so notified, in writing, by the Health Department. Constitutes a misdemeanor any owner or person to keep any vicious, fierce or dangerous animal within the county unless it is confined within a secure building or enclosure or unless it is securely muzzled and under restraint by a competent person who, by means of a leash, has the animal firmly under control at all times.

- **§ 90.111 CONTROL OF ANIMAL.**

Constitutes a misdemeanor for an owner or keeper to permit his or her animal to run at large if the animal is deemed to be a public nuisance provided a law enforcement officer has determined after investigation that the report is supported by evidence and the Health Department has notified the owner or keeper in writing of his or her findings.

- **§ 90.125 DEFINITION; PROHIBITED ACTS.**

Constitutes a misdemeanor for any owner or keeper to willfully fail to provide animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. It shall be unlawful for any person to heat, cruelly ill-treat, torment, overload, overwork or otherwise abuse animals, or cause or permit any dogfight, cockfight, bullfight or other combat between animals or between animals and humans. Constitutes a misdemeanor for any owner or keeper to restrain any animal with any collar, rope, chain or other device which causes a break in the skin of the animal or is so tight as to severely restrict swallowing or breathing. Constitutes a misdemeanor for owner of an animal to allow the area in which the animal lives to become unsanitary through failure to practice effective cleaning procedures.

- **§ 90.155 PROHIBITION AGAINST INTERFERENCE.**

Constitutes a misdemeanor for any person to interfere with, hinder or molest any Animal Control Officer or his or her agents in the performance of those duties authorized by this chapter or by the state statutes, or to refuse to release any animal into the custody of the officer upon direction.

- **§ 90.170 PERMIT REQUIRED FOR KEEPING.**

Constitutes a misdemeanor for any person to own, keep, have or maintain any horses, ponies, cows, sheep, goats or fowl without first applying for and receiving a permit to do so.

- **§ 90.186 PROHIBITIONS.**

Constitutes a misdemeanor for any person to own, possess, keep, harbor, bring into the town and/or its extraterritorial jurisdiction, have in one's possession, act as a custodian, or have custody or control of an exotic animal, except in compliance with this subchapter. Constitutes a misdemeanor for any person, while in the corporate limits and/or within the extraterritorial jurisdiction, to engage in any activity which otherwise may be deemed for the purpose of breeding or facilitating the breeding of any exotic animal.

- **§ 91.01 DISCHARGE OF FIREARMS OR FIREWORKS.**

Constitutes a misdemeanor any person to fire a gun, pistol, firecracker, roman-candle or any other explosive within the corporate limits of the town unless by permission from the Board of Alderpersons.

- **§ 91.02 REGULATION OF WEAPONS POSSESSION ON TOWN PROPERTY.**

Constitutes a misdemeanor for any person to display or be in possession of any gun, firearm, knife, dagger, blackjack, club, slingshot, metallic knuckles, razor, bow and arrow or other deadly weapon of any kind on town property. Exceptions apply.

- **§ 91.16 ACCUMULATION AND BURNING OF TRASH.**

Constitutes a misdemeanor for any person to pile or allow paper, rags, boxes or other flammable material to accumulate on property owned or occupied by him or her within a fire district, unless burned within a stove, fireplace, wire hamper or other suitable container that will prevent the fire from spreading.

- **§ 91.18 SPECTATORS AT FIRE.**

Spectators shall remain at a safe distance from the scene of any fire and shall so conduct themselves as not to interfere in any way with firefighters and others who are engaged in extinguishing the fire or protecting persons or property or performing other lawful duties at the scene of the fire. Every person present at a fire shall be subject and obedient to the orders of firefighters and police officers in any matter relating to extinguishing the fire, removal and protection of persons and property endangered by fire, smoke or water, the freedom of Fire Department personnel and apparatus to perform their duties or to function properly, and the maintenance of order at or near the scene of the fire, and it constitutes a misdemeanor for any person to disobey any order of a firefighter or police officer or to violate this section.

- **§ 93.001 GRAFFITI PROHIBITED ON STREETS AND SIDEWALKS.**

Constitutes a misdemeanor for any person to write, print, paint or stamp any words, pictures or advertisements upon any street or sidewalk, official traffic signs excepted.

- **§ 93.002 SITTING, LYING OR CONGREGATING PROHIBITED.**

Constitutes a misdemeanor for any person to willfully stand, sit or lie upon any street or sidewalk within the town in the manner as to impede the regular flow of traffic or to in any manner disturb the peace of the town or for any persons to congregate on the sidewalk or streets of the town or in any manner block the sidewalks or streets so as to stop or, in any manner, interfere with pedestrians or vehicles on the streets or sidewalks.

- **§ 93.003 SCOOTERS, SKATEBOARDS, SKATES PROHIBITED ON CERTAIN STREETS.**

Constitutes a misdemeanor for any person to operate upon any street or sidewalk located within the corporate limits of the Town or upon any property owned or leased by the Town a skateboard or scooter, to use skates or to operate or use any other form of self-propelled or motor-propelled conveyance, with the exception of wheelchairs or other conveyances required by disabled persons.

- **§ 93.008 STORM WATER DISCHARGE UPON SIDEWALK PROHIBITED.**

Constitutes a misdemeanor for any person to permit or allow storm water from his or her premises to be discharged from any collecting pipe or drain upon any sidewalk within the town. All the pipes or drains shall be constructed below the sidewalk level.

- **§ 93.009 SEWAGE DISCHARGE UPON STREET OR SIDEWALK PROHIBITED.**

Constitutes a misdemeanor for any person to run, or allow to run, by pipes or otherwise, any sewage or other offensive liquids of any kind upon the streets or sidewalks.

- **§ 93.020 PERMIT REQUIRED TO OBSTRUCT STREET OR SIDEWALK.**

Constitutes a misdemeanor for any person to obstruct or block any street or sidewalk, except upon permit issued by the Director of Public Works or his or her authorized representative.

- **§ 93.021 WHOLESALE, RETAILER GOODS RESTRICTED.**

Constitutes a misdemeanor for any person engaged in either the wholesale or retail business to obstruct any sidewalk by placing goods, wares or merchandise thereon.

- **§ 93.022 REMOVAL OF SAND, DIRT, OTHER MATERIALS FROM STREET PROHIBITED.**

Constitutes a misdemeanor for any person to remove any sand, dirt, loam, sod, clay, gravel or other materials from any of the streets, alleys or sidewalks; provided, this section shall not be construed to apply to lot owners who are repairing or constructing sidewalks under the specifications prescribed by the town.

- **§ 93.023 PERMIT REQUIRED PRIOR TO CREATING OPENING IN STREET OR SIDEWALK.**

Constitutes a misdemeanor for a person to make any opening in any street or sidewalk of the town without a permit therefor issued by the Director of Public Works or his or her authorized representative.

- **§ 93.040 PERMIT REQUIRED.**

Constitutes a misdemeanor for any person to break out curb for the purpose of constructing a driveway entrance, or to construct any driveway across the grass plot or sidewalk, without first obtaining a written permit therefore from the Director of Public Works or his or her authorized representative.

- **§ 93.10 OBSTRUCTING OR IMPEDING TRAFFIC PROHIBITED**

Constitutes a misdemeanor to operate or park any motor vehicle on any public street or highway within the corporate limits of the Town in such a manner as to obstruct or impede the normal flow of vehicular or pedestrian traffic, except when reduced speed is necessary for safe operation.

- **§ 94.36 AN ORDINANCE REGULATING UNREASONABLE NOISE.**

Constitutes a misdemeanor for any person to create or assist in creating any unreasonably loud, disturbing and unnecessary noise in the town. Noise of such character, intensity and duration as to be detrimental to the public health, welfare and peace is hereby prohibited. Constitutes a misdemeanor for any person to play, use or otherwise operate, either from a motor vehicle or as a pedestrian, any radio, tape player or other sound amplification device emitting sound that is audible from a distance of fifty (50) or more feet from the source of the sound, unless such device is being used to request assistance or warn against an unsafe condition. Some exceptions apply. Constitutes a misdemeanor to operate or allow the operation of any motor vehicle in the city which has had its muffler-exhausts- and/or other noise-control equipment removed, altered or maintained in such disrepair as to create unreasonably loud and disturbing noises, that engages in jackrabbit starts, spinning tires, racing engines, or other operations which create an unreasonably loud or disturbing noise, or that is off the boundaries of a public street for racing or other operations which create unreasonably loud and disturbing noises.

- **CHAPTER 96: MINIMUM HOUSING CODE**

In order to protect the health, safety and welfare of the residents of the town, it is the purpose of this chapter to establish minimum standards of fitness for the occupancy of all buildings used for human habitation. Any violation of any provision of this chapter shall constitute a misdemeanor.

- **§ 97.05 INTERFERENCE WITH PARADES OR MEETINGS PROHIBITED.**

Constitutes a misdemeanor for any person to physically interfere with processions, marches or meetings, or with the persons lawfully engaged therein in the use of any street, sidewalk or other public place, or to address profane, indecent, abusive or threatening language or other fighting words to or at the participants which would tend to provoke the participants or others to a breach of the peace.

- **§ 97.06 CONDUCT.**

Constitutes a misdemeanor for any person to conduct or participate in a parade or meeting of such character, extent and duration, or of the nature, as to create a public disturbance, or to operate as a nuisance, or to tend to create or threaten rioting, disorderly conduct or public or private mischief. Constitutes a misdemeanor for any person conducting or participating in any parade or meeting to address profane, indecent, abusive or threatening language or other fighting words to or at any person which would tend to provoke the person or others to a breach of peace.

- **§ 97.07 PICKETING, DEMONSTRATIONS PERMITTED.**

Permits and sets out rules for peaceful picketing, including demonstrating, in the furtherance of a lawful purpose. Any violation of provisions set is punishable by as misdemeanor. Constitutes a misdemeanor for any picket to address profane, indecent, abusive or threatening language to or at any person, which would tend to provoke the person or others to a breach of the peace

- **§ 97.08 INTERFERENCE WITH PICKETS PROHIBITED.**

Constitutes a misdemeanor for any person to physically interfere with the pickets in the use of the sidewalk or to address profane, indecent, abusive or threatening language to or at the pickets, which would tend to provoke the pickets or others to a breach of the peace.

- **§ 98.01 AGGRESSIVE PANHANDLING; PEDESTRIAN INTERFERENCE; VEHICULAR INTERFERENCE.**

Constitutes a misdemeanor for any person to intentionally obstruct pedestrian or vehicular traffic while on the street, sidewalk, or other public place, whether publicly or privately owned, within the limits of the town or to beg while on the street, sidewalk, or other public place, whether publicly or privately owned, within the limits of the town.

- **§ 98.02 BEGGING.**

Constitutes a misdemeanor for any person to wander about and beg in the street, or from house to house, or sit, stand or take a position in any public place and beg from passerby either by words, by the exhibition of a sign, by gesture, by singing, by playing a musical instrument, or by exhibiting such articles as shoestrings, lead pencils or cheap merchandise of any description.

- **§ 111.17 BUSINESS SOLICITATION.**

Constitutes a misdemeanor for any operator or driver of a taxicab or jitney for hire to solicit patronage on any street or sidewalk or in any building of the town, except within the confines of his or her own parking lot or terminal.

- **§ 112.01 PROHIBITION ON PUBLIC PROPERTY.**

Constitutes a misdemeanor for any person to tack, staple, post, tie or otherwise attach any advertising sign, poster or placard upon any pole, tree, post, building or other structure located on public property in the town.

- **§ 112.02 PROHIBITION ON PRIVATE PROPERTY WITHOUT PERMISSION OF OWNER.**

Constitutes a misdemeanor for any person to tack, post, staple, tie or otherwise attach any advertising sign, poster or placard upon any pole, tree, post, building or other structure located on private property in the town without the express written consent of the property owner.

- **§ 112.03 PROHIBITION OF POLITICAL ADVERTISING ON PUBLIC PROPERTY.**

Constitutes a misdemeanor to post, staple or otherwise attach any printed or graphic material or any type of political material upon any public property of the town, including rights-of-way.

•§ 131.02 PARKS, RECREATION AREAS, GREENWAYS PROHIBITED TO SEX OFFENDERS.

Constitutes a misdemeanor for a registered sex offender to enter into or upon any town parks, recreation areas, and greenways that are operated by the town.

•§ 131.10 - § 131.16 JUVENILE CURFEW

The purpose of this section is to protect juveniles from victimization and exposure to criminal activity by establishing a curfew for juveniles under the age of 16 years in the town. This subchapter is intended to reinforce and promote the role of the parent or guardian in training and guiding children, and promote the health, safety and welfare of both juveniles and adults by creating an environment offering better protection and security for all concerned. A juvenile who violates any provision of this section is subject to be adjudicated delinquent. Any person other than a juvenile who violates any provision of this section shall be guilty of a misdemeanor.

•CHAPTER 153: STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROL

It is the purpose of this chapter to ensure the health, safety and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. §§ 1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drain system. Any violation of any provision of this chapter shall constitute a misdemeanor.

•CHAPTER 154: FLOOD DAMAGE PREVENTION

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. Any violation of any provision of this chapter shall constitute a misdemeanor.